

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LIBERTY MUTUAL INSURANCE COMPANY,)	CIVIL ACTION
)	NO. 96-10804-DPW
)	NO. 1:04-CV-10677-DPW
Plaintiff,)	(Review Avenue)
)	
v.)	
)	
THE BLACK & DECKER CORPORATION,)	
BLACK & DECKER, INC., BLACK & DECKER)	
(U.S.) INC., EMHART CORPORATION, and)	
EMHART INDUSTRIES, INC.,)	
)	
Defendants.)	

**ASSENTED TO MOTION FOR LEAVE TO FILE UNDER
SEAL BLACK & DECKER'S RESPONSE TO LIBERTY
MUTUAL'S SUPPLEMENTAL SUMMARY JUDGMENT MOTION
REGARDING THE REVIEW AVENUE LANDFILL SITE**

Black & Decker, with the assent of Liberty Mutual, moves, pursuant to Local Rule 7.2, for leave to file under seal Black & Decker's Memorandum In Response To Liberty Mutual Insurance Company's Supplemental Motion For Summary Judgment With Respect To The Review Avenue Landfill Site. This memorandum responds to Liberty Mutual filings which themselves were filed under seal. Pursuant to Local Rule 7.2, Black & Decker requests that this Court enter an Order authorizing the sealing of this memorandum, filed in connection with its response to Liberty Mutual's summary judgment motion.

Black & Decker also requests that the Court maintain this document under seal until this action is closed and, thereafter, that this document be returned to counsel.

By their attorneys,

Dated: December 9, 2004

/s/ Jack R. Pirozzolo

Jack R. Pirozzolo, BBO# 400400
Richard L. Binder, BBO# 043240
James J. Nicklaus, BBO# 564806
Willcox, Pirozzolo & McCarthy
Professional Corporation
50 Federal Street
Boston, Massachusetts 02110
(617) 482-5470